

AMENDED IN SENATE APRIL 18, 2006

AMENDED IN SENATE MARCH 27, 2006

SENATE BILL

No. 1539

Introduced by Senator Kehoe

February 23, 2006

An act to add Section 379.9 to the Public Utilities Code, relating to energy resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1539, as amended, Kehoe. San Diego Association of Governments Energy Working Group.

Under existing law the San Diego Association of Governments (SANDAG), established pursuant to existing law authorizing the formation of a joint powers agency, has certain responsibilities with respect to transportation, infrastructure financing, and growth management planning for the San Diego County region.

This bill would state the intent of the Legislature that regional planning and implementation of energy-related policy by the SANDAG Energy Working Group, or a coalition of entities in the San Diego region, or both, should occur. The bill would state the further intent of the Legislature that the development and implementation of energy management plans to advise local governments in the effective implementation of renewable energy projects, green building options, and energy efficiency should occur.

~~Under existing law, the Public Utilities Commission (commission) has regulatory authority over public utilities and is authorized to establish its own procedures, subject to statutory limitations or directions and constitutional requirements. The existing Public Utilities Act provides compensation for reasonable advocate's fees,~~

reasonable expert witness fees, and other reasonable costs to public utility customers for participation or intervention in any proceeding of the commission based, in part, upon whether the intervenor would experience significant financial hardship.

~~This bill would state the intent of the Legislature that the commission and the State Energy Resources Conservation and Development Commission (Energy Commission) consider allocating existing funds to reimburse the San Diego Association of Governments Energy Working Group, or the coalition, as defined, or both, for certain costs incurred by these entities in participating in specified proceedings of the commission, the Energy Commission, and the working group, and certain other energy-related activities. The bill would make related legislative findings and declarations. The bill would require the commission and the Energy Commission to enable and facilitate the review and analysis by regional stakeholders through the San Diego Association of Governments Energy Working Group, or the coalition, or both in any proceeding of the commission or the Energy Commission.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~*no*. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 379.9 is added to the Public Utilities
- 2 Code, to read:
- 3 379.9. (a) As used in this section:
- 4 (1) "Coalition" means the collaboration among the San Diego
- 5 Association of Governments Energy Working Group (*SANDAG*)
- 6 and other entities within the San Diego region, including, but not
- 7 limited to, the San Diego Regional Energy Office and San Diego
- 8 Gas and Electric Company, that has been established to
- 9 implement the San Diego Regional Energy Strategy, as adopted
- 10 by the San Diego Association of Governments Energy Working
- 11 Group Board of Directors in 2003.
- 12 (2) ~~"Energy Commission" means the State Energy Resources~~
- 13 ~~Conservation and Development Commission.~~
- 14 (3) ~~"SANDAG" means the San Diego Association of~~
- 15 ~~Governments Energy Working Group.~~
- 16 (4) ~~"SDG&E" means the San Diego Gas and Electric~~
- 17 ~~Company.~~

1 ~~(5) “SDREO” means the San Diego Regional Energy Office.~~

2 ~~(6)–~~

3 ~~(2) “Sustainable communities program” means a program that~~
4 ~~assists local governments to analyze energy efficiency, demand~~
5 ~~response, and distributed generation measures, and to develop an~~
6 ~~implementation plan that will enable them to maximize the~~
7 ~~benefits of these measures.~~

8 ~~(b) The Legislature finds and declares all of the following:~~

9 ~~(1) The purpose of this section is to encourage the commission~~
10 ~~and the Energy Commission to enable and facilitate the review~~
11 ~~and analysis by regional stakeholders through SANDAG, or the~~
12 ~~coalition, or both SANDAG and the coalition in any proceeding~~
13 ~~of the commission or the Energy Commission.~~

14 ~~(2) The involvement of SANDAG, or the coalition, or both~~
15 ~~SANDAG and the coalition in commission or Energy~~
16 ~~Commission processes should be promoted and encouraged~~
17 ~~where that review and analysis by regional stakeholders~~
18 ~~substantially contributes to orders and decisions of the~~
19 ~~commission or the Energy Commission, and that involvement is~~
20 ~~in the public interest.~~

21 ~~(3) The Legislature encourages the review and analysis by~~
22 ~~regional stakeholders through SANDAG, or the coalition, or both~~
23 ~~SANDAG and the coalition in state policymaking processes.~~

24 ~~(e)–~~

25 ~~(b) It is the intent of the Legislature that all of the following~~
26 ~~should occur:~~

27 ~~(1) The commission, the Energy Commission, and other state~~
28 ~~agencies should consider allocating existing funds to SANDAG,~~
29 ~~or the coalition, or both SANDAG and the coalition to be~~
30 ~~actively involved in, but not limited to, all of the following:~~

31 ~~(A) The Integrated Energy Policy Report of the Energy~~
32 ~~Commission pursuant to Section 25302 of the Public Resources~~
33 ~~Code.~~

34 ~~(B) The state Energy Action Plan II.~~

35 ~~(C) The improvement of energy security and resource~~
36 ~~enhancement through in-region distributed generation.~~

37 ~~(D) The SDG&E Long Term Resources Plan proceeding of~~
38 ~~the commission.~~

39 ~~(2) The commission and the Energy Commission should~~
40 ~~consider allocating existing funds to support regional~~

1 (1) *Regional* planning and the implementation of
2 energy-related policy by SANDAG, or the coalition, or both
3 SANDAG and the coalition to achieve regional energy goals and
4 optimize the beneficial social, economic, and environmental
5 impacts of essential energy infrastructure not required of
6 investor-owned utilities, including, but not limited to, all of the
7 following:

8 (A) Transportation fuels in SANDAG's role as transportation
9 planning agency, identifying strategies to reduce the fuel
10 consumption rate through transportation and use choices, and
11 transportation mode choices.

12 (B) Transportation corridors that identify strategies to utilize
13 long-range transportation planning processes to plan for
14 relocation of utility infrastructure.

15 (C) International border issues related to energy policy.

16 (D) Implementation of the energy goals of the state.

17 (E) Creation of a model sustainable communities program for
18 the San Diego region.

19 ~~(3) The commission and Energy Commission should consider~~
20 ~~allocating existing funds to SANDAG, or the coalition, or both~~
21 ~~SANDAG and the coalition for the use of subject matter experts,~~
22 ~~including, but not limited to, SDREO or other experts deemed~~
23 ~~necessary to provide assistance and education to SANDAG in~~
24 ~~development and implementation of energy~~

25 (2) *Development and implementation of energy* management
26 plans to advise local governments in the effective
27 implementation of renewable energy projects, green building
28 options, and energy efficiency. The plans should also include
29 funding initiatives to facilitate the implementation of the loading
30 order that is included in the Energy Action Plan II.

31 ~~(d) The commission and the Energy Commission shall enable~~
32 ~~and facilitate the review and analysis by regional stakeholders~~
33 ~~through SANDAG, or the coalition, or both SANDAG and the~~
34 ~~coalition in any proceeding of the commission or the Energy~~
35 ~~Commission.~~